S/N 10/668,428

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

pplicant:

Carlos Ricci et al.

Examiner:

N/A

**E**rial No.:

10/668,428

Group Art Unit:

2121

Filed:

September 23, 2003

Docket No.:

13569.0042US01

Title:

Neural Network Based Learning Engine to Adapt Therapies

## **CERTIFICATE UNDER 37 CFR 1.8:**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Ald andria VA 22313-1450 on January 8, 2004.

Name: Alan G. Gorman

## INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted before the mailing date of a first Office Action on-the-merits. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. §1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 is provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked

as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD

Alan G. Gorman Reg. No. 38,472

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PATENT TRADEMARK OFFICE

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Minneapolis, Minnesota 55402-0903

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FORM 1449* INFORMATION DISCLOSURE STATEMENT	Docket Number: 13569.0042US01	Application Number: 10/668,428		
IN AN APPLICATION	Applicant: Carlos Ricci et al.			
JAN 1 2 2004 SUse several sheets if necessary)	Filing Date: September 23, 2003	Group Art Unit: 2121		

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		U.	S. PATENT DOCUMEN	TS			
EXAMINER INITIAL	DOCUMENT NO.	DATÉ	NAME	CLASS	SUBCLASS		OPRIATE
	5,251,626	10/12/1993	Nickolls et al.				
	6,263,238	07/17/2001	Brewer et al.				
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	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
,							
	OTHER	DOCUMENTS	(Including Author, Title,	Date, Pertinent I	Pages, Etc.)		
	Javed Kha artificial n	n et al. "Classific eural networks",	ation and diagnostic predi Nature Medicine June 200	ction of cancers 11, Volume 7, N	using gene express umber 6	sion profiling	and
	Bernd Frit	Bernd Fritzke, "Some Competitive Learning Methods", Draft from April 5, 1997					
	Yudong D Volume 7	Yudong D. He & Stephen H. Friend, "Microarrays-the 21st Century Divining Rod?, Nature Medicine, June 2001, Volume 7 Number 6					

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PATENT TRADEMARK OFFICE	
EXAMINER	DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.